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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**DECLARATION OF DEBORAH STEIN IN
SUPPORT OF FACEBOOK, INC.'S
STATEMENT IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIALS
SHOULD BE SEALED**

1 I, Deborah Stein, hereby declare as follows:

2 1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Facebook, Inc. (“Facebook”) in the above-captioned matter. I am a member in good standing of the
4 State Bars of California and New York. I submit this declaration in support of Facebook’s Statement
5 in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should
6 Be Sealed. I make this declaration on my own knowledge, and I would testify to the matters stated
7 herein under oath if called upon to do so.
8

9 2. Attached as **Exhibit 1** is a true and correct **unredacted** copy of Plaintiffs’ Supplemental
10 Brief in Support of Sanctions.

11 3. Attached as **Exhibit 2** is a true and correct **redacted** copy of Plaintiffs’ Supplemental
12 Brief in Support of Sanctions.
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14 4. Attached as **Exhibit 3** is a true and correct **unredacted** copy of the Declaration of Les-
15 ley E. Weaver in Support of Plaintiffs’ Supplemental Brief in Support of Sanctions.

16 5. Attached as **Exhibit 4** is a true and correct **redacted** copy of the Declaration of Lesley
17 E. Weaver in Support of Plaintiffs’ Supplemental Brief in Support of Sanctions.

18 6. Attached as **Exhibits 95–97-A, 105-A, 106-A, 109-A, 115-A, 117-A, and 137-A** are a
19 true and correct **unredacted** copy of Plaintiffs’ Exhibits’ 95–97, 105, 106, 109, 115, 117, and 137.
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21 7. Attached as **Exhibits 95–97-B, 105-B, 106-B, 109-B, 115-B, 117-B, and 137-B** are a
22 true and correct **redacted** copy of Plaintiffs’ Exhibits’ 95–97, 105, 106, 109, 115, 117, and 137.

23 8. Facebook proposes redacting confidential information regarding its data systems and
24 Facebook’s proprietary data storage and processing practices.¹ How Facebook stores, manages, tracks,
25 preserves, deletes, and processes data for billions of users across its data systems are key components
26

27 ¹ Pls. Supp. Br. at i, 12–14, 20 (Dkt. 988-3); Weaver Decl. at ¶¶ 4, 53 (Dkt. 988-4); Exs. 95 at Tr. at
28 69:11–25 (Dkt. 988-13); 96 at 1–4 (Dkt. 988-14); 97 at 1, 3 (Dkt. 988-15); 125 (Dkt. 988-42).

1 of its business that set it apart and ahead of its competitors. I understand that, if publicly disclosed,
 2 Facebook's competitors could take advantage of this information to improve their own methods for
 3 managing high volumes of user data or for tracking and storing user data across data systems, to Face-
 4 book's competitive disadvantage. Hackers and other bad actors also could use this information to better
 5 understand Facebook's data systems and target specific repositories of data, potentially harming both
 6 Facebook and its users.

8 9. Facebook proposes redacting confidential information regarding its tool for responding
 9 to law-enforcement requests for user records, including the name of the tool, the types of data it con-
 10 tains, the delta between the data within the tool and DYI, and the format in which data from the tool is
 11 produced.² I understand that public disclosure of details about this tool would reveal confidential in-
 12 formation regarding Facebook's internal operations that could be used by bad actors to attempt to cir-
 13 cumvent and evade Facebook's enforcement strategies and current and future lawful governmental
 14 criminal investigations. I further understand that public disclosure of Facebook's internal processes
 15 related to the tool could provide confidential information to competitors about how Facebook tracks
 16 and stores data across its systems, to Facebook's competitive disadvantage.

18 10. Facebook proposes redacting confidential and competitively sensitive information re-
 19 garding its business programs, strategies, decisions, and partners.³ This information includes confi-
 20 dential strategic discussions regarding Facebook's existing and potential future business models and
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 23 ² Pls. Supp. Br. at i, 14–17 (Dkt. 988-3); Weaver Decl. at ¶ 5 (Dkt. 988-4); Exq. 95 at Tr. at 40:2–6, 8–
 24 20, 23–24, 41:6–7, 15–18, 20–25, 42:1–19, 22 (Dkt. 988-13); 96 at 2–3 (Dkt. 988-14); 97 at 1–2, Inter-
 25 nal Ex. A (Dkt. 988-15).

26 ³ Pls. Supp. Br. at 24, 31–32 (Dkt. 988-3); Exs. 102 (Dkt. 988-19); 105 at Tr. at 266:11–13, 18–20,
 27 268:2–3, 20–23, 269:2–6, 270:1–2, 273:5–8, 14–15, 281:25–282:6 (Dkt. 988-22); 106 at Tr. at 92:1–
 28 2, 4, 7–12, 20, 22–23, 25, 94:1–9, 13, 19–22, 24–25, 101:15–17, 24, 104:1–4, 25, 105:1–4, 7, 9–10,
 24–25, 118:2–3, 9–11, 14, 17–19, 119:2–3, 19–20, 161:1–5, 9–10, 13, 20, 23–25, 163:2–4, 9–11, 13–
 15, 24–25, 164:1–3, 6–8, 12–15, 21–23, 165:1–3, 8–10, 13–14, 168:15–16, 19–20, 24–25, 169:1, 6–7,
 20–21, 23–25, 170:1–5, 7, 14–16, 182:4–12, 19–21, 24–25, 224:2, 4, 11–22, 226:6–7, 11–12, 14, 24–
 25, 240:3–6, 10–11; Internal Ex. 0007 at 1–3; Internal Ex. 0013 at 1–5 (Dkt. 998-23); 119 (Dkt. 988-
 36); 126 (Dkt. 988-43); 127 (Dkt. 988-44); 129 (Dkt. 988-46); 130 (Dkt. 988-47); 131 (Dkt. 988-48);

1 strategies, as well as confidential information regarding the identities of and negotiations with entities
 2 with which I understand Facebook has a business relationship. I am informed and believe that, if
 3 publicly disclosed, this information could harm Facebook's relationships with these entities and under-
 4 cut Facebook's ability to negotiate with competitors of these entities. I am further informed and believe
 5 that public disclosure of confidential information regarding Facebook's business models could allow
 6 Facebook's competitors to use this information developed at Facebook's expense to improve or de-
 7 velop their own competing techniques, to Facebook's competitive disadvantage. Finally, I am in-
 8 formed and believe that public disclosure of confidential information regarding Facebook's business
 9 strategies could allow Facebook's competitors to copy these strategies, developed at Facebook's ex-
 10 pense, to more effectively compete with Facebook.

11
 12 11. Facebook asks the Court to seal confidential documents created during this litigation
 13 solely to aid in the parties' negotiations related to mediations.⁴ These documents include information
 14 about current and former Facebook employees, which could enable the public and competitors to de-
 15 duce information about confidential aspects of Facebook's business, such as which employees and
 16 departments are working on particular confidential matters. Public access to this information could
 17 cause Facebook competitive harm and could lead competitors to attempt to recruit critical Facebook
 18 employees. These documents also contain other confidential and competitively sensitive information,
 19 such as the highly confidential information regarding certain business relationships with third parties
 20 and about ADI discussed above.

21
 22 12. Facebook will continue evaluating the documents filed under seal by Plaintiffs for ma-
 23 terial that can be redacted rather than sealed and will supplement its statement by August 26. In the
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 26 132 (Dkt. 988-49); 133 (Dkt. 988-50); 134 (Dkt. 988-51); 139 (Dkt. 988-55).

27 ⁴ Exs. 90 (Dkt. 988-8); 91 (Dkt. 988-9); 92 (Dkt. 988-10); 93 (Dkt. 988-11); 94 (Dkt. 988-12); 109 at
 28 3 (Dkt. 988-26); 130 at 1-5 (Dkt. 988-47); 131 at 4 (Dkt. 988-48); 132 at 1-9 (Dkt. 988-49); 133 at 1-
 21 (Dkt. 988-50); 134 at 1-8 (Dkt. 988-51).

1 interim, I understand these documents contain Facebook's confidential and competitively sensitive in-
2 formation, *see supra* Paragraph 10, as well as other confidential information.⁵ I am thus informed and
3 believe that public disclosure of these documents could harm the company.
4

5 I declare under penalty of perjury under the laws of the United States of America that the fore-
6 going is true and correct.
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9 Executed on August 15, 2022 in Los Angeles, California.
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12 */s/ Deborah Stein*

13 Deborah Stein
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27 ⁵ Exs. 98 (Dkt. 988-16); 103 (Dkt. 988-20); 104 (Dkt. 988-21); 112 (Dkt. 988-29); 113 (Dkt. 988-30);
28 116 (Dkt. 988-33); 121 (Dkt. 988-38); 122 (Dkt. 988-39); 123 (Dkt. 988-40); 124 (Dkt. 988-41).